

Assigned DOGM File No.: S 1035/023

DOGM Lead: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Ck # \_\_\_\_\_

5350023

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" mining operations which have a disturbed area of five or less surface acres at any time.

\*\*\*\*\*

I. **GENERAL INFORMATION** (Rule R647-3-104)

1. Name of Mine: TEAM HOLDINGS

2. Legal name of entity (or individual) for whom the permit is being requested: \_\_\_\_\_

TRACY BURNHAM - DECORATIVE LANDSCAPING, INC.  
Mailing Address: 1584 S. 580 E.

City, State, Zip: AMERICAN FORK, UT 84003

Phone: 801-494-7807 Fax: 801-756-8340

E-mail Address: BEN @ DECORATIVELANDSCAPING.NET

Type of Business: Corporation ☒ LLC ( ) Sole Proprietorship (dba) ( )  
Partnership ( ) General \_\_\_\_\_ or \_\_\_\_\_ limited

Or:  
Individual ( )

Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC) [www.commerce.utah.gov](http://www.commerce.utah.gov).

Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No

Entity # 13138714-0142

If no, contact [www.commerce.utah.gov](http://www.commerce.utah.gov) to renew or apply.

Local Business License # \_\_\_\_\_ (if required)  
Issued by: County \_\_\_\_\_ or City \_\_\_\_\_

3. **Contact Person(s)**

Name: BEN MCINNES Title: VICE-PRESIDENT

Address: 1584 S. 580 E.

City, State, Zip: AMERICAN FORK, UT 84003

Phone: 801-494-7807 Fax: 801-756-8340

Emergency, Weekend, or Holiday Phone: \_\_\_\_\_

E-mail Address: BEN @ DECORATIVELANDSCAPING.NET

Contact person to be notified for: permitting ( ☒ ) surety ( ☒ ) Notices ( ☒ ) (please check all that apply)

APPROVED

JAN 15 2008

2 of 2

DIV. OIL GAS & MINING



Assigned DOGM File No.: S 10351023  
DOGM Lead: \_\_\_\_\_  
Permit Fee \$ \_\_\_\_\_ Ck # \_\_\_\_\_

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF OIL, GAS AND MINING**  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

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DIV. OF OIL, GAS & MINING

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

Task ID# 1567

**I. GENERAL INFORMATION (Rule R647-3-104)**

1. **Name of Mine:** T & M Holdings
2. **Name of Entity Applying for Permit:** Decorative Landscaping  
**Contact (Authorized Officer):** Tracy Burnham  
**Address:** 3231 N. Millcreek Rd.  
**City, State, Zip:** Pleasant Grove, Ut 84062  
**Phone:** 801-796-7739 **Fax:** 801-796-7739  
**E-mail Address:** ben@decorativelandscaping.net

superseded 1/15/08

Entity is a: Corporation ( ☒ ) LLC ( ) Sole Proprietorship (dba) ( )  
Partnership ( ) General \_\_\_\_\_ or \_\_\_\_\_ limited  
Individual ( ) Other ( ) - specify type \_\_\_\_\_

**Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations [www.commerce.utah.gov](http://www.commerce.utah.gov).**

Are you currently registered to do business in the State of Utah? G Yes G No  
Entity # 1313874-0142

Local Business License # \_\_\_\_\_  
Issued by: County \_\_\_\_\_ or City \_\_\_\_\_

**Registered Utah Agent (as identified with the Utah Department of Commerce):**

Name: Richard Jaynes  
Address: 3651 N. 100 E. Suite 300  
City, State, Zip: Provo, UT 84604  
Phone: 801-852-2673



3. **Entities Representative (if different from #2)**

Name: Ben McInnes

Address: 3231 N. Millcreek Rd.

City, State, Zip: Pleasant Grove, Ut 84062

Phone: 801-494-7007 Fax: 801-796-7739

E-mail Address: ben@decorativelandscaping.net

4. **If Partnership or Sole Proprietor:**

**Name of 1st partner / Sole Proprietor:**

Name

Address:

City, State, Zip:

Phone: Fax:

E-mail Address:

**If Partnership:**

**Name of 2nd Partner:**

Address:

City, State, Zip:

Phone: Fax:

E-mail Address:

**If Corporation:**

**Name of Officers:**

Title:

Title:

Title:

Title:

**If Limited Liability Company:** Member Managed G Manager Managed G

**Name of 1st Member/Manager:**

Address:

City, State, Zip:

Phone: Fax:

E-mail Address:

**Name of 2nd Member/Manager:**

Address:

City, State, Zip:

Phone: Fax:

E-mail Address:

**Name of 3rd Member/Manager:**

Address:

City, State, Zip:

Phone: Fax:

E-mail Address:



5. **Ownership of Land Surface:**

Private (Fee) G      Public Domain (BLM) G      National Forest (USFS) G  
State Trust Land/School Sections G      State Sovereign Lands G  
Other (please describe): \_\_\_\_\_

Name Wasatch South Hills LLC Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_

6. **Ownership of Minerals:**

Private (Fee) G      Public Domain (BLM) G      National Forest (USFS) G  
State Trust Land/School Sections G      State Sovereign Lands G  
Other (please describe): \_\_\_\_\_

Name Same as above Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): \_\_\_\_\_

B      LM Claim Numbers \_\_\_\_\_

Utah State Lease Number(s): \_\_\_\_\_

Name of Lessee(s) \_\_\_\_\_

7. **Have the above surface and mineral owners been notified in writing?**

Yes x No \_\_\_\_\_

If no, why not? \_\_\_\_\_

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration prior to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

8. **Does the Entity have legal right to enter and conduct mining operations on the land covered by this notice?** Yes x No \_\_\_\_\_



## II. PROJECT LOCATION & MAP(Rule R647-3-105)

1. Project Location (legal description):

County(ies): \_\_\_\_\_

\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_  
\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_  
\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_

UTM East \_\_\_\_\_ (if known) UTM North \_\_\_\_\_ (If known)

Name of Quad Map for Location: Jordan Narrows

2. An accurate topographic base map showing the location of the proposed small mining operation must be submitted with this notice. The areas to be disturbed including access roads, must be plotted in sufficient detail so that they can be located on the ground. It is recommended that the Permittee / Operator also photo document, plot and label any pre-existing disturbances in the immediate vicinity that he is not responsible for.
3. The proposed (5 acre or less) disturbed area boundary (including access/haul roads) **should** be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

## III. OPERATION PLAN (Rule R647-3-106)

1. **Type of mining:** Surface ☒ Underground

2. **Mineral(s) to be mined:** Rock

3. **Amount of material to be extracted, moved or proposed to be moved:** \_\_\_\_\_  
Unknown

4. **Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?**  
Yes ☒ No ☐ If yes, please describe (add extra pages if needed)

5. **Provide a brief description of the proposed mining operation and onsite processing facilities** (add extra pages if necessary). No onsite facilities are necessary. The mining operation will consist of simply removing rock from the ground with a track hoe, and replacing the displaced surface to it's original contour.

6. G **New Road(s):** Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)

7. G **Improved Road(s):** Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)



8. Total project surface acreage to be disturbed: 4 (acres) PLEASE SPECIFY EXACTACREAGE - (this will be used to determine surety bond amount - see #VI).
9. Proposed startup date of project (month, year) Sept 2006
10. Proposed completion date of project, if known (month, year) unknown

**IV. OPERATION AND RECLAMATION PRACTICES(Rule R647-3-107, 108 & 109)**

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at [www.ogm.ut.gov](http://www.ogm.ut.gov).

1. Keep the mining operation in a safe, clean, and environmentally stable condition.
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations.
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.
6. Remove all waste or debris from stream channels.
7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.
13. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.

**V. VARIANCE REQUEST(Rule R647-3-110)**

Any variance request must be approved in writing by the Division

Yes ☒ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see IV. Operation and Reclamation Practices Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measure to be utilized. A variance shall be granted if the alternative method or measure proposed will be consistent with the Act.



1st Variance  
Requested

R647-3-109.14

Item #

Applicable Rule # (i.e. R647-3-109.10 (if you did not want trenches & pits reclaimed)

Justification: Need to rotate existing small claim to new area without waiting a full season.

Alternate methods or measure to be utilized: Mulch & irrigation to accelerate seed germination and detain erosion.

The existing quarry is still in production. As soon as the approval is given to move to the next 4 acre claim then we will revegitate the area with seed. The mining process has been to replace the displaced soil as we moved along the designated plot, so grading has already been accomplished. The seeding and irrigating can take place almost immediately upon approval of the new variance request.

Attach additional page if more variances are requested.

VI. **SURETY**(Act 40-8-7(1)[c])

**A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations.**

The Utah Mined Land Reclamation Act (40-8-7 (1)[c] and 40-8-14 provides the authority that all mining operations furnish and maintain reasonable surety to guarantee that the land affected is reclaimed according to accepted *notices* consistent with on-site conditions.

The surety amount is based on the nature, extent and duration of operations. *The surety amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions.*

Surety for small mines sites will be escalated three (3) years to the future. Contact the Division for dollar amount required for this project.

I have provided or will provide surety in the form of:  
☒ Certificate of Deposit      Letter of Credit      Surety Bond      Cash (certified funds)

G Other \_\_\_\_\_ (please identify)

VII. **PERMIT FEE** [Mined Land Reclamation Act 40-8-7(1)(i)]

The Utah Mined Land Reclamation Act of 1975 [40-8-7(1)(i)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), permit fees are assessed to new and existing notices of intention, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.



**Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.**

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

Name: Ben McInnes  
Address: 3231 N. Millcreek Rd.  
City, State, Zip: Pleasant Grove, UT 84062  
Phone: 801-494-7007 Fax: 801-797-7739  
E-mail Address: ben@decorativelandscaping.net

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

#### **VIII. SIGNATURE REQUIREMENT**

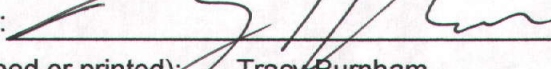
**(Please check the box and place your initials on the line provided)**

- ☒ I have enclosed the required permit fee.
- \_\_\_\_\_ I have enclosed a complete Reclamation Contract (Form MR-RC) and the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.
- \_\_\_\_\_ I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

#### **CERTIFICATION**

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- This certification must be executed by an executive officer if the applicant is a corporation; by a partner if applicant is a partnership (general or limited); owner if applicant is a sole proprietorship; member or manager if applicant is a limited liability company.**

Signature:  Date: 13 Sept 2006  
Name (typed or printed): Tracy Burnham  
Title/Position (if applicable): President

O:\FORMS\notices\mnr-smo-2005.



This Section for DOGM Use:

Assigned DOGM File No.: S / 0351 0023

DOGM Lead: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Ck # \_\_\_\_\_

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
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"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

**I. GENERAL INFORMATION (Rule R647-3-104)**

1. Name of Mine: T & M HADWINGS
2. Name of Entity Applying for Permit: DECORATIVE LANDSCAPE  
Contact (Authorized Officer): TRACY BURNHAM  
Address: 3231 N MILLERSEK RD.  
City, State, Zip: PLEASANT GROVE, UT 84062  
Phone: 801-796-7739 Fax: SAME  
E-mail Address: BEN @ DECORATIVE LANDSCAPING.NET

Entity is a: Corporation ☒ LLC ☐ Sole Proprietorship (dba) ☐  
Partnership ☐ General \_\_\_\_\_ or \_\_\_\_\_ limited  
Individual ☐ Other ☐ - specify type \_\_\_\_\_

Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations [www.commerce.utah.gov](http://www.commerce.utah.gov).

Are you currently registered to do business in the State of Utah? ☐ Yes ☐ No

Entity # 1313874-0142

Local Business License # \_\_\_\_\_  
Issued by: County Utah or City \_\_\_\_\_

Registered Utah Agent (as identified with the Utah Department of Commerce):

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

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DIV. OF OIL, GAS & MINING



3. **Entities Representative (if different from #2)**  
Name: BEN McTAVES  
Address: 3231 N. MILLCREEK RD  
City, State, Zip: PLEASANT GROVE, UT 84062  
Phone: 801-494-7007 Fax: 801-796-7739  
E-mail Address: BEN@DECORATIVELANDSCAPING.NET

4. **If Partnership or Sole Proprietor:**  
**Name of 1<sup>st</sup> partner / Sole Proprietor:**  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Partnership:**  
**Name of 2<sup>nd</sup> Partner:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Corporation:**  
**Name of Officers:** Tracy BURNHAM Title: ~~OWNER~~ PRESIDENT  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Title: \_\_\_\_\_  
Title: \_\_\_\_\_  
Title: \_\_\_\_\_

**If Limited Liability Company:** Member Managed ☐ Manager Managed ☐  
**Name of 1<sup>st</sup> Member/Manager:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Name of 2<sup>nd</sup> Member/Manager:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Name of 3<sup>rd</sup> Member/Manager:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_



5. **Ownership of Land Surface:**

Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State Trust Land/School Sections ☐ State Sovereign Lands ☐  
Other (please describe): \_\_\_\_\_

Name WASATCH South Hills UC Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_

6. **Ownership of Minerals:**

Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State Trust Land/School Sections ☐ State Sovereign Lands ☐  
Other (please describe): \_\_\_\_\_

Name SAME AS ABOVE Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): \_\_\_\_\_

BLM Claim Numbers \_\_\_\_\_

Utah State Lease Number(s): \_\_\_\_\_

Name of Lessee(s) \_\_\_\_\_

7. **Have the above surface and mineral owners been notified in writing?**

Yes ☒ No ☐

If no, why not? \_\_\_\_\_  
\_\_\_\_\_

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

8. **Does the Entity have legal right to enter and conduct mining operations on the land covered by this notice?** Yes ☒ No ☐



II. **PROJECT LOCATION & MAP** (Rule R647-3-105)

1. **Project Location** (legal description):

County(ies): \_\_\_\_\_

\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_  
\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_  
\_\_\_\_ 1/4, of \_\_\_\_ 1/4, of \_\_\_\_ 1/4: Section: \_\_\_\_ Township: \_\_\_\_ Range: \_\_\_\_

UTM East \_\_\_\_\_ (if known) UTM North \_\_\_\_\_ (If known)

Name of Quad Map for Location: JORDAN Narrows

2. An accurate topographic base map showing the location of the proposed small mining operation must be submitted with this notice. The areas to be disturbed including access roads, must be plotted in sufficient detail so that they can be located on the ground. It is recommended that the Permittee / Operator also photo document, plot and label any pre-existing disturbances in the immediate vicinity that he is not responsible for.
3. The proposed (5 acre or less) disturbed area boundary (including access/haul roads) **should** be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. **OPERATION PLAN** (Rule R647-3-106)

1. Type of mining: Surface ☒ Underground ☐
2. Mineral(s) to be mined: ROCK
3. Amount of material to be extracted, moved or proposed to be moved: \_\_\_\_\_  
UNKNOWN
4. Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?  
Yes ☐ No ☒ If yes, please describe (add extra pages if needed)  
\_\_\_\_\_  
\_\_\_\_\_
5. Provide a brief description of the proposed mining operation and onsite processing facilities (add extra pages if necessary). NO ONSITE FACILITIES ARE NECESSARY. THE MINING OPERATION WILL CONSIST OF SIMPLY REMOVING ROCK FROM THE GROUND WITH A TRACK HOE, AND REPLACING THE DISPLACED SURFACE TO ITS ORIGINAL CONTOUR.
6. ☐ New Road(s): Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)
7. ☐ Improved Road(s): Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)



8. Total project surface acreage to be disturbed: 4 (acres) PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount - see #VI).

9. Proposed startup date of project (month, year) SEPT 2004

10. Proposed completion date of project, if known (month, year) UNKNOWN

**IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)**

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at [www.ogm.ut.gov](http://www.ogm.ut.gov).

1. Keep the mining operation in a safe, clean, and environmentally stable condition.
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations.
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.
6. Remove all waste or debris from stream channels.
7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.
13. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.

**V. VARIANCE REQUEST (Rule R647-3-110)**

Any variance request must be approved in writing by the Division

Yes ☒ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see IV. Operation and Reclamation Practices Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measure to be utilized. A variance shall be granted if the alternative method or measure proposed will be consistent with the Act.



1<sup>st</sup> Variance Requested

Item # 1 Applicable Rule # R647-3-109.13.12  
(i.e. R647-3-109.10 (if you did not want trenches & pits reclaimed))

Justification: NEED TO RESTATE EXISTING SMALL CLAIM TO NEW AREA WITHOUT WAITING A FULL SEASON.

Alternate methods or measure to be utilized: MULCH & IRRIGATION TO ACCELERATE SOOD GERMINATION AND DETAIN EROSION.

2<sup>nd</sup> Variance Requested

Item # \_\_\_\_\_ Applicable Rule # \_\_\_\_\_

Justification: \_\_\_\_\_

Alternate methods or measure to be utilized: \_\_\_\_\_

3<sup>rd</sup> Variance Requested

Item # \_\_\_\_\_ Applicable Rule # \_\_\_\_\_

Justification: \_\_\_\_\_

Alternate methods or measure to be utilized: \_\_\_\_\_

Attach additional page if more variances are requested.

VI. SURETY (Act 40-8-7(1)[c])

A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations.

The Utah Mined Land Reclamation Act (40-8-7 (1)[c] and 40-8-14 provides the authority that all mining operations furnish and maintain reasonable surety to guarantee that the land affected is reclaimed according to accepted *notices* consistent with on-site conditions.

The surety amount is based on the nature, extent and duration of operations. *The surety amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions.*

Surety for small mines sites will be escalated three (3) years to the future. Contact the Division for dollar amount required for this project.

I have provided or will provide surety in the form of:

☒ Certificate of Deposit    ☐ Letter of Credit    ☐ Surety Bond    ☐ Cash (certified funds)

☐ Other \_\_\_\_\_ (please identify)

VII. PERMIT FEE [Mined Land Reclamation Act 40-8-7(1)(i)]

The Utah Mined Land Reclamation Act of 1975 [40-8-7(1)(i)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), permit fees are assessed to new and existing notices of intention, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.



**Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.**

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

Name: BEN McINNES  
Address: 3231 N. MILLCREEK RD.  
City, State, Zip: PLEASANT GROVE, UT 84062  
Phone: 801-494-7007 Fax: 801-796-7739  
E-mail Address: BEN@DECORATIVELANDSCAPING.NET

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

#### **VIII. SIGNATURE REQUIREMENT**

(Please check the box and place your initials on the line provided)

- \_\_\_\_ ☐ I have enclosed the required permit fee.
- \_\_\_\_ ☐ I have enclosed a complete Reclamation Contract (Form MR-RC) and the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.
- \_\_\_\_ ☒ I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

#### **CERTIFICATION**

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- This certification must be executed by an executive officer if the applicant is a corporation; by a partner if applicant is a partnership (general or limited); owner if applicant is a sole proprietorship; member or manager if applicant is a limited liability company.**

Signature: 

Date: 17 Aug 2006

Name (typed or printed): Tracy Burnham

Title/Position (if applicable): PRESIDENT

O:\FORMS\Notices\mr-smo-2005.doc



# OPERATIONS MAP

GPS COORDS

NE CORNER

N 40° 27' 57.0"  
W 111° 58' 33.9"

NW CORNER

N 40° 27' 58.8"  
W 111° 58' 35.0"

SE CORNER

N 40° 27' 53.2"  
W 111° 58' 39.7"

SW CORNER

N 40° 27' 56.2"  
W 111° 58' 41.1"



ROAD IS EXISTING ALREADY

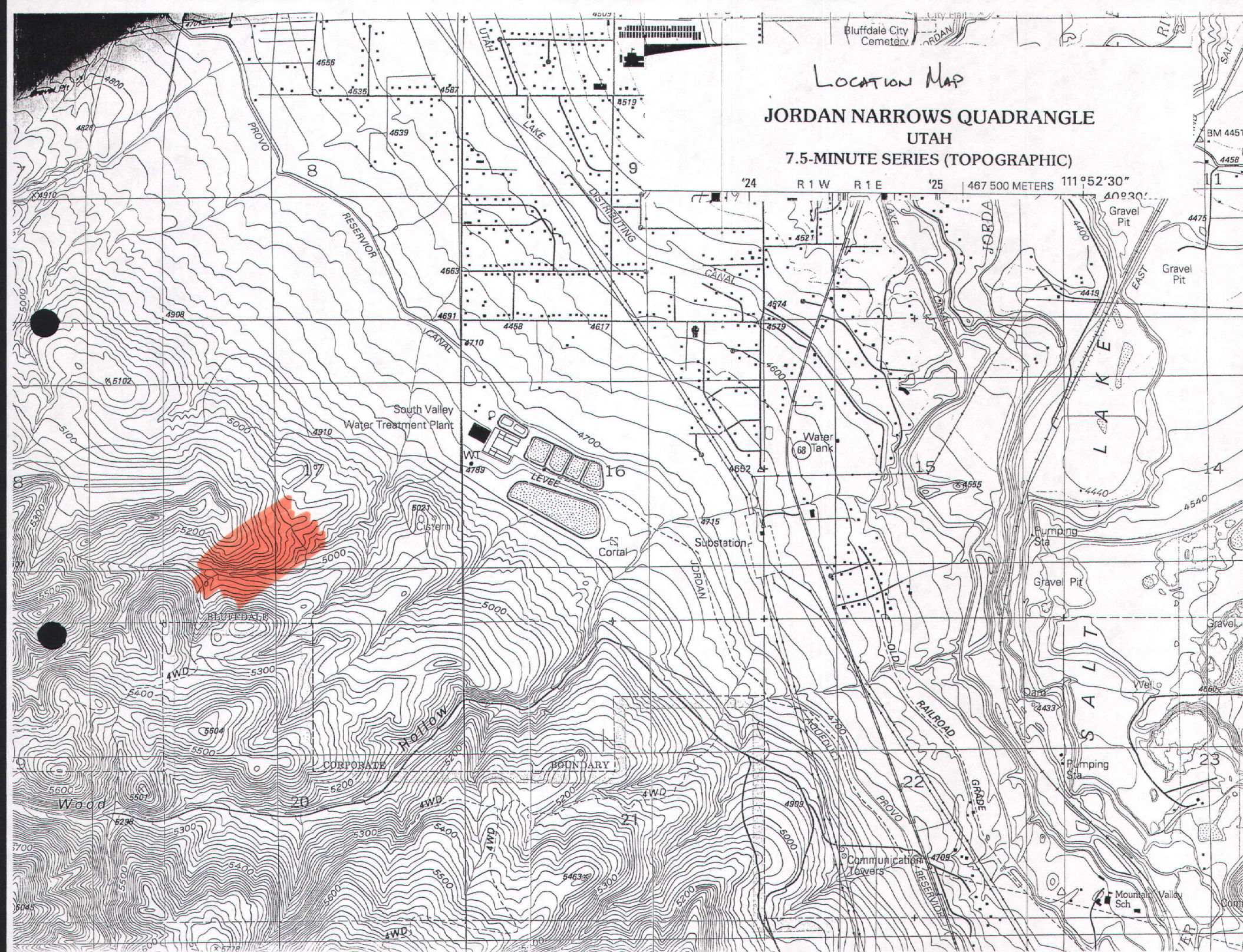
NO INFRASTRUCTURE WILL BE PLACED OR NEEDED

SURFACE WILL BE DISTURBED BY TRACK HOE AND REPLACED



LOCATION MAP  
JORDAN NARROWS QUADRANGLE  
UTAH  
7.5-MINUTE SERIES (TOPOGRAPHIC)

'24 R 1 W R 1 E '25 467 500 METERS 111°52'30"







NW Corner

NE Corner

SW Corner

SE Corner

Image © 2006 DigitalGlobe

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AUG 24 2006

DIV. OF OIL, GAS & MINING

8'21.03" W elev 4990 ft

Streaming ||||| 100%



Assigned DOGM File No.: S / /

DOGM Lead: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Ck # \_\_\_\_\_

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF OIL, GAS AND MINING**  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

RECEIVED

SEP 29 2006

**I. GENERAL INFORMATION (Rule R647-3-104)**

DIV. OF OIL, GAS & MINING

1. **Name of Mine:** T & M Holdings
2. **Name of Entity Applying for Permit:** Decorative Landscaping, Inc.  
Contact (Authorized Officer): Tracy Burnham  
Address: 3231 N. Millcreek Rd.  
City, State, Zip: Pleasant Grove, UT 84062  
Phone: 801-796-7739 Fax: 801-796-7739  
E-mail Address: ben@decorativelandscaping.net

Entity is a: Corporation (X) LLC ( ) Sole Proprietorship (dba) ( )  
Partnership ( ) General \_\_\_\_\_ or \_\_\_\_\_ limited  
Individual ( ) Other ( ) – specify type \_\_\_\_\_

**Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations [www.commerce.utah.gov](http://www.commerce.utah.gov).**

Are you currently registered to do business in the State of Utah? X Yes No

Entity # 1313874-0142

Local Business License # \_\_\_\_\_  
Issued by: County \_\_\_\_\_ or City \_\_\_\_\_

Registered Utah Agent (as identified with the Utah Department of Commerce):

Name: Richard Jaynes  
Address: 3651 N. 100 E., Ste. 300  
City, State, Zip: Provo, UT 84604  
Phone: 801-852-2673 Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_



3. **Entities Representative (if different from #2)**

Name: Ben McInnes  
Address: 3231 N. Millcreek Rd.  
City, State, Zip: Pleasant Grove, UT 84062  
Phone: 801-494-7007 Fax: 801-796-7739  
E-mail Address: ben@decorativelandscaping.net

4. **If Partnership or Sole Proprietor:**

**Name of 1<sup>st</sup> partner / Sole Proprietor:**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Partnership:**

**Name of 2<sup>nd</sup> Partner:**

Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**If Corporation:**

<b>Name of Officers:</b> <u>Tracy Burnham</u>	Title: <u>President and Director</u>
<u>Michelle Burnham</u>	Title: <u>Secretary</u>
_____	Title: _____
_____	Title: _____

**If Limited Liability Company:** Member Managed      Manager Managed

**Name of 1<sup>st</sup> Member/Manager:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Name of 2<sup>nd</sup> Member/Manager:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**Name of 3<sup>rd</sup> Member/Manager:** \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_



5. **Ownership of Land Surface:**

Private (Fee) X      Public Domain (BLM)      National Forest (USFS)  
State Trust Land/School Sections      State Sovereign Lands  
Other (please describe): \_\_\_\_\_

Name Wasatch South Hills LLC Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_

6. **Ownership of Minerals:**

Private (Fee) X      Public Domain (BLM)      National Forest (USFS)  
State Trust Land/School Sections      State Sovereign Lands  
Other (please describe): \_\_\_\_\_

Name Same as Above Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_  
Name \_\_\_\_\_ Address \_\_\_\_\_

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): \_\_\_\_\_

BLM Claim Numbers \_\_\_\_\_

Utah State Lease Number(s): \_\_\_\_\_

Name of Lessee(s) \_\_\_\_\_

7. **Have the above surface and mineral owners been notified in writing?**

Yes X      No \_\_\_\_\_

If no, why not? \_\_\_\_\_  
\_\_\_\_\_

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

8. **Does the Entity have legal right to enter and conduct mining operations on the land covered by this notice?**      Yes X      No \_\_\_\_\_



II. **PROJECT LOCATION & MAP (Rule R647-3-105)**

1. **Project Location** (legal description):

County(ies): Salt Lake

       1/4, of NE 1/4, of NE 1/4: Section: 20 Township: 4 S. Range: 1 W.  
E½ , of NW 1/4, of NW 1/4: Section: 21 Township: 4 S. Range: 1 W.  
       1/4, of SW 1/4, of SE 1/4: Section: 17 Township: 4 S. Range: 1 W.  
       1/4, of SE 1/4, of SW 1/4: Section: 17 Township: 4 S. Range: 1 W.

UTM East \_\_\_\_\_ (if known) UTM North \_\_\_\_\_ (If known)

Name of Quad Map for Location: Jordan Narrows

2. An accurate topographic base map showing the location of the proposed small mining operation must be submitted with this notice. The areas to be disturbed including access roads, must be plotted in sufficient detail so that they can be located on the ground. It is recommended that the Permittee / Operator also photo document, plot and label any pre-existing disturbances in the immediate vicinity that he is not responsible for.
3. The proposed (5 acre or less) disturbed area boundary (including access/haul roads) **should** be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. **OPERATION PLAN (Rule R647-3-106)**

1. **Type of mining:** Surface ☒ ☐ Underground
2. **Mineral(s) to be mined:** Rock
3. **Amount of material to be extracted, moved or proposed to be moved:** Unknown
4. **Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?**  
Yes ☐ No ☒ If yes, please describe (add extra pages if needed) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
5. **Provide a brief description of the proposed mining operation and onsite processing facilities** (add extra pages if necessary). No on-site facilities are necessary.  
The mining operation will consist of simply removing rock from the ground with a  
trackhoe and replacing the displaced surface to its original contour, at most within a few  
days. Excavations will not be more than 10 feet deep.  
\_\_\_\_\_  
\_\_\_\_\_
6. **New Road(s):** Length None (ft) Width \_\_\_\_\_ (ft)
7. **Improved Road(s):** Length None (ft) Width \_\_\_\_\_ (ft)



8. **Total project surface acreage to be disturbed:** 14 (please see variance section)  
(acres) **PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount – see #VI).**

9. **Proposed startup date of project (month, year)** September 2006

10. **Proposed completion date of project, if known (month, year)** Unknown

#### **IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)**

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at [www.ogm.ut.gov](http://www.ogm.ut.gov).

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*
7. *Dispose of any trash, scrap metal, wood, machinery, and buildings.*
8. *Conduct mining activities so as to minimize erosion and control sediment.*
9. *Reclaim all roads that are not part of a permanent transportation system.*
10. *Stockpile topsoil and suitable overburden prior to mining.*
11. *Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.*
12. *Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.*
13. *Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)*
14. *Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.*

#### **V. VARIANCE REQUEST (Rule R647-3-110)**

**Any variance request must be approved in writing by the Division**

Yes ☒ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see **IV. Operation and Reclamation Practices** Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measure to be utilized. A variance shall be granted if the alternative method or measure proposed will be consistent with the Act.



1<sup>st</sup> Variance Requested

R647-3-109.14

Applicable Rule # (i.e. R647-3-109.10 (if you did not want trenches & pits reclaimed)

Justification: Need to rotate existing small claim to new area without waiting a full season.

Alternate methods or measure to be utilized: The total disturbed area is 14 acres as follows:

1. The first five-acre area has been graded and seeded, and the vegetation has survived one growing season. No variance is sought for this area, but the acreage is still included in the total for the mine because it has not received final release.

2. The second five-acre area is still in production. As soon as approval is given to expand into the proposed four-acre area, but before this new area is disturbed, this five-acre area will be regraded and seeded. It will then be watered to accelerate germination and plant establishment. We have had great success with this method in the past variations that were granted, and expect the same results this time. The seeded area germinated very well and has contained the erosion potential that was created by the disturbance.

2<sup>nd</sup> Variance Requested

Item #

Applicable Rule #

Justification: \_\_\_\_\_

Alternate methods or measure to be utilized: \_\_\_\_\_

**Attach additional page if more variances are requested.**

**VI. SURETY (Act 40-8-7(1)[c])**

**A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations.**

The Utah Mined Land Reclamation Act (40-8-7 (1)[c] and 40-8-14 provides the authority that all mining operations furnish and maintain reasonable surety to guarantee that the land affected is reclaimed according to accepted *notices* consistent with on-site conditions.

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Surety for small mines sites will be escalated three (3) years to the future. Contact the Division for dollar amount required for this project.

I have provided or will provide surety in the form of:

X Certificate of Deposit

Letter of Credit

Surety Bond

Cash (certified funds)

Other \_\_\_\_\_

(please identify)

**VII. PERMIT FEE [Mined Land Reclamation Act 40-8-7(1)(i)]**

The Utah Mined Land Reclamation Act of 1975 [40-8-7(1)(i)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), permit fees are assessed to new and existing notices of intention, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.



**Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.**

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

Name: Ben McInnes  
 Address: 3231 N. Millcreek Rd.  
 City, State, Zip: Pleasant Grove, UT 84062  
 Phone: 801-494-7007 Fax: 801-796-7739  
 E-mail Address: ben@decorativelandscaping.net

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

#### VIII. SIGNATURE REQUIREMENT

**(Please check the box and place your initials on the line provided)**

- ☒ I have enclosed the required permit fee.
- ☐ I have enclosed a complete Reclamation Contract (Form MR-RC) and the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.
- ☐ I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

#### **CERTIFICATION**

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- This certification must be executed by an executive officer if the applicant is a corporation; by a partner if applicant is a partnership (general or limited); owner if applicant is a sole proprietorship; member or manager if applicant is a limited liability company.**

Signature: 

Date: September 29, 2006

Name (typed or printed): Tracy Burnham

Title/Position (if applicable): President

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**RECEIVED**

**OCT 11 2006**

**DIV. OF OIL, GAS & MINING**



**Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.**

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

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Address: 3231 N. Millcreek Rd.  
City, State, Zip: Pleasant Grove, UT 84062  
Phone: 801-494-7007 Fax: 801-796-7739  
E-mail Address: ben@decorativelandscaping.net

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

#### **VIII. SIGNATURE REQUIREMENT**

**(Please check the box and place your initials on the line provided)**

- ☒            I have enclosed the required permit fee.
- ☐            I have enclosed a complete Reclamation Contract (Form MR-RC) and the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.
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- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- c. **This certification must be executed by an executive officer if the applicant is a corporation; by a partner if applicant is a partnership (general or limited); owner if applicant is a sole proprietorship; member or manager if applicant is a limited liability company.**

Signature: \_\_\_\_\_ Date: September 29, 2006

Name (typed or printed): Tracy Burnham

Title/Position (if applicable): President

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DIV. OF OIL, GAS & MINING

TN★/MN  
13°  
09/13/06



GPS Coordinates for new site proposal area

TOPO! GPS Data Format DegMinSec

002, 40,27,59,-111,58,35,

003 40,27,53,-111,58,40,

004 40,27,56,-111,58,41,

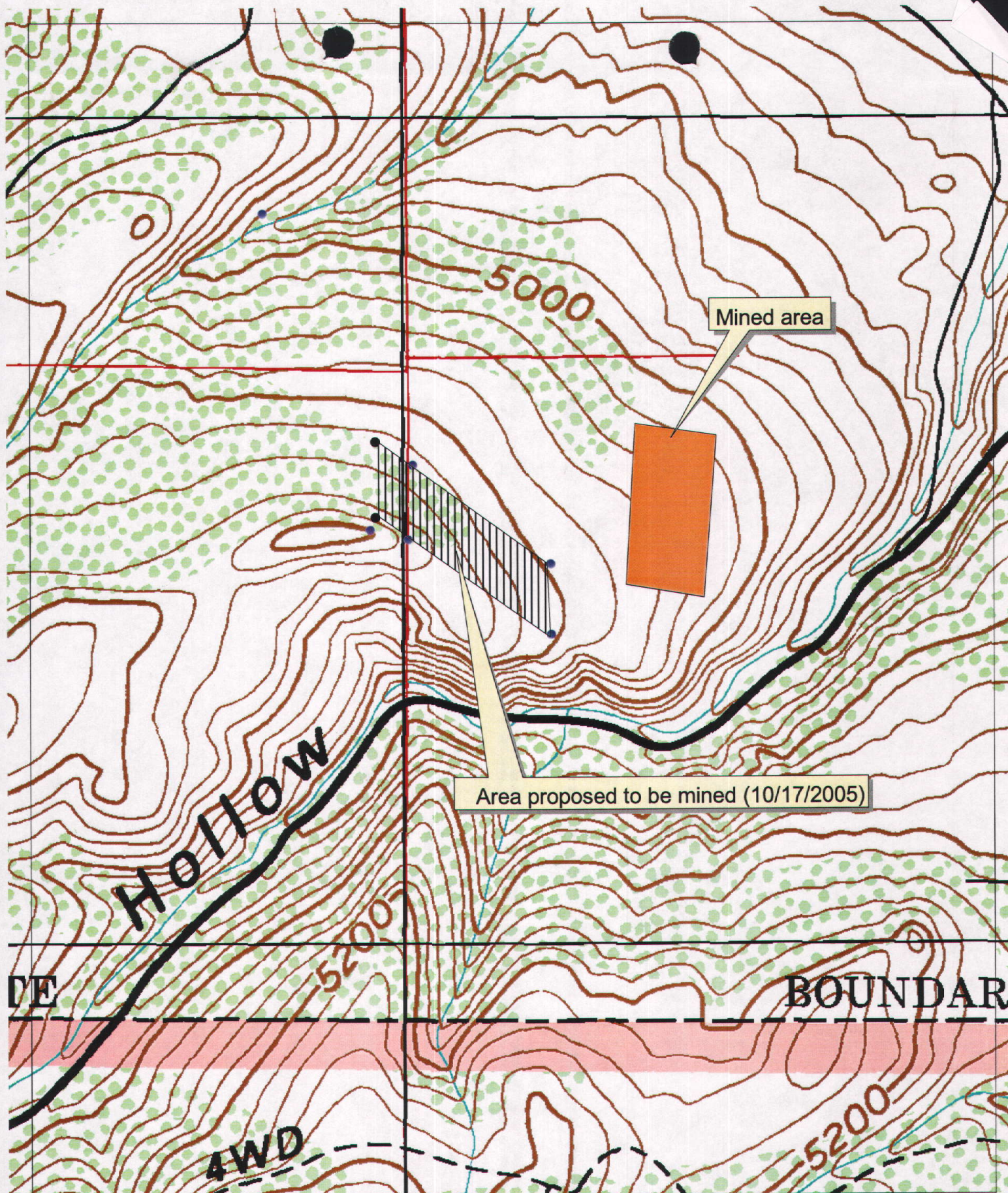
005 40,27,57,-111,58,34,

**RECEIVED**

**SEP 14 2006**

**DIV. OF OIL, GAS & MINING**





300 0 300 600 Feet

Scale 1:6000  
Contour Interval: 20 feet



Mine Number: S/035/023  
Mine Name: Decorative Landscape  
Township 4 S Range 1 W Sections 20 & 21 SLBM  
Site is on the Jordan Narrows Quad



Assigned DOGM File No.: S / /

DOGM Lead: \_\_\_\_\_

Permit Fee \$ \_\_\_\_\_ Ck # \_\_\_\_\_

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
**DIVISION OF OIL, GAS AND MINING**  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

**I. GENERAL INFORMATION (Rule R647-3-104)**

1. **Name of Mine:** T & M Holdings

2. **Name of Person or Entity Applying for Permit:** Decorative Landscaping, Inc.

Contact (Authorized Officer): Tracy Burnham

Address: 3231 No. Millcreek Rd.

City, State, Zip: Pleasant Grove, Utah 84062

Phone: 801-796-7739 Fax: 801-796-7739

E-mail Address: \_\_\_\_\_

Company ( ) Corporation (X) Partnership ( ) Individual ( )

Other ( ) – specify type \_\_\_\_\_

A corporation must be registered with the State of Utah, Division of Corporations. Are you currently registered to do business in the State of Utah? X Yes No

Business License # Entity Number 1313874-0142

Registered Agent (as identified on business license): Richard Jaynes

Address: 3651 No. 100 E., Suite 300

City, State, Zip: Provo, Utah 84604

Phone: 801-852-2673 Fax: 801-852-1961

E-mail Address: \_\_\_\_\_

3. **Name of Operator (if different from #2)** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_



**If Partnership or Individual:****Name of 1<sup>st</sup> owner / partner:** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Name of 2<sup>nd</sup> owner / Partner:** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**If Corporation or Limited Liability Entity:****Name of Officers:** Tracy BurnhamTitle: Director and PresidentMichelle BurnhamTitle: Secretary

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**4. Permittee / Operator Representative (if different from #2):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**5. Ownership of Land Surface:**Private (Fee) ☒

Public Domain (BLM)

National Forest (USFS)

State Trust Land/School Sections

State Sovereign Lands

Other (please describe): \_\_\_\_\_

Name Tracy BurnhamAddress 3231 No. Millcreek Rd., Pleasant Grove, Utah 84062

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

**6. Ownership of Minerals:**Private (Fee) ☒

Public Domain (BLM)

National Forest (USFS)

State Trust Land/School Sections

State Sovereign Lands

Other (please describe): \_\_\_\_\_

Name Tracy BurnhamAddress 3231 No. Millcreek Rd., Pleasant Grove, Utah 84062

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): \_\_\_\_\_



Assigned DOGM File No.: S 10351023

DOGM Lead: PBB

Permit Fee \$ 150<sup>00</sup> Ck # 7/14/05 ucd.

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

**I. GENERAL INFORMATION (Rule R647-3-104)**

1. Name of Mine: Tem Holdings
2. Name of Person or Entity Applying for Permit: Tem Holdings LLC  
Contact (Authorized Officer): Tracy Burnham  
Address: 3231 No. Millcreek Road  
City, State, Zip: Pleasant Grove, Utah 84062  
Phone: 801-796-7739 Fax: 801-796-7739  
E-mail Address: \_\_\_\_\_

Company ( ) Corporation ( ) Partnership ( ) Individual ( )  
Other (☒) - specify type LLC

A corporation must be registered with the State of Utah, Division of Corporations. Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No

Business License # 329906-5501

Registered Agent (as identified on business license): Richard Jaynes  
Address: 31051 No. 100 E., Suite 300  
City, State, Zip: Provo, UT 84604  
Phone: 801-852-2173 Fax: 801-852-1961  
E-mail Address: \_\_\_\_\_

3. Name of Operator (if different from #2) \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

RECEIVED

OCT 06 2005

DIV. OF OIL, GAS & MINING



**If Partnership or Individual:****Name of 1<sup>st</sup> owner / partner:** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**Name of 2<sup>nd</sup> owner / Partner:** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**If Corporation or Limited Liability Entity:****Name of Officers:** Tracy Burnham Title: Manager / memberMichelle Burnham Title: member\_\_\_\_\_  
Title: \_\_\_\_\_\_\_\_\_\_  
Title: \_\_\_\_\_**4. Permittee / Operator Representative (if different from #2):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**5. Ownership of Land Surface:**Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐State Trust Land/School Sections ☐ State Sovereign Lands ☐

Other (please describe): \_\_\_\_\_

Name Tracy Burnham Address 3231 no. Millcreek Rd., Pleasant Grove, UT

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

**6. Ownership of Minerals:**Private (Fee) ☒ Public Domain (BLM) ☐ National Forest (USFS) ☐State Trust Land/School Sections ☐ State Sovereign Lands ☐

Other (please describe): \_\_\_\_\_

Name Tracy Burnham Address 3231 no. Millcreek Rd., Pleasant Grove, UT

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_

Name \_\_\_\_\_ Address \_\_\_\_\_



BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): N/A

BLM Claim Numbers N/A

Utah State Lease Number(s): N/A

Name of Lessee(s) N/A

7. Have the above surface and mineral owners been notified in writing?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, why not? N/A

Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.

8. Does the Permittee / Operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes ☒ No ☐

## II. PROJECT LOCATION & MAP (Rule R647-3-105)

1. **Project Location** (legal description):

County(ies): Salt Lake

1/4, of NE 1/4, of NE 1/4: Section: 20 SLBM Township: 04 S Range: 01 W  
E 1/2 ~~1/4~~ of NW 1/4, of NW 1/4: Section: 21 SLBM Township: 04 S Range: 01 W  
 1/4, of \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4: Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

UTM East \_\_\_\_\_ (if known) UTM North \_\_\_\_\_ (If known)

Name of Quad Map for Location: Jordan Narrows

2. An accurate topographic base map showing the location of the proposed small mining operation must be submitted with this notice. A USGS 7.5 minute series map is preferred. The areas to be disturbed should be plotted in sufficient detail so that they can be located on the ground. It is recommended that the Permittee / Operator also photo document, plot and label any pre-existing disturbances in the immediate vicinity that he is not responsible for.
3. The proposed (5 acre or less) disturbed area boundary (including access/haul roads) **should** be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.



**III. OPERATION PLAN (Rule R647-3-106)**

1. **Type of mining:** Surface ☒ Underground ☐
2. **Mineral(s) to be mined:** Landscape Rocks
3. **Amount of material to be extracted, moved or proposed to be moved:** 30,000 tons
4. **Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?**  
 Yes ☐ No ☒ If yes, please describe (add extra pages if needed)  
 \_\_\_\_\_  
 \_\_\_\_\_
5. **Provide a brief description of the proposed mining operation and onsite processing facilities (add extra pages if necessary).** Two Trachoes will facilitate the mining and loading process. One Trachoe to quarry and regroom the quarried site. The other trachoe to load 10 wheel pump trucks.
6. ☒ **New Road(s):** Length 300 (ft) Width 12 (ft)
7. ☐ **Improved Road(s):** Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)
8. **Total project surface acreage to be disturbed:** 10 (acres) **PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount - see #VI).**
9. **Proposed startup date of project (month, year)** Oct. 2005
10. **Proposed completion date of project, if known (month, year)** approx. Apr. Oct. 2006

Please see  
Variance Section  
5 acres of new  
disturbance

**IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)**

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. Keep the mining operation in a safe, clean, and environmentally stable condition.
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations.
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.
6. Remove all waste or debris from stream channels.



7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.
13. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.

**V. VARIANCE REQUEST (Rule R647-3-110)**

**Any variance request must be approved in writing by the Division**

Yes ☒ No ☐

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

Item Number      Variance Request Justification

R647-3-109.13.12 please refer to the attached page for explanation.

**VI. SURETY (Act 40-8-7(1)[c])**

**The surety must be provided to and approved by the Division prior to commencement of operations.**

The Utah Mined Land Reclamation Act (40-8-7 (1)[c] and 40-8-14 provides the authority that all mining operations furnish and maintain reasonable surety to guarantee that the land affected is reclaimed according to approved notices consistent with on-site conditions. The surety amount is based on the nature, extent and duration of operations. *The surety amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions.*

Surety for small mines sites will be escalated three (3) years to the future. Contact the Division for dollar amount required for this project.

Acceptable forms of surety may include: certificates of deposit, letters of credit, surety bonds & cash. Please identify which type of surety you will post so we can provide you with the appropriate forms.

☒ Certificate of Deposit      ☐ Letter of Credit      ☐ Surety Bond      ☐ Cash  
☐ Other \_\_\_\_\_ (please identify)

(please be advised that the State Treasurer's office may require additional monies to administer cash sureties).

Check if applicable:

☐ Reclamation surety is already posted with another regulatory agency (copy must be included as proof):  
 \$ \_\_\_\_\_ (amount) \_\_\_\_\_ (Agency name)



**VII. PERMIT FEE [Mined Land Reclamation Act 40-8-7(1)(i)]**

The Utah Mined Land Reclamation Act of 1975 [40-8-7(1)(i)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), permit fees are assessed to new and existing notices of intention, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.

*N/A* **Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.**

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

Name: Tracy Burnham  
Address: 3231 no. Millcreek Road  
City, State, Zip: Pleasant Grove, UT 84062  
Phone: 801-404-0368 Fax: 801-796-7739  
E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

**VIII. SIGNATURE REQUIREMENT**

I hereby verify that the foregoing information is true and accurate and commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

(Please check the box and place your initials on the line provided)

- \_\_\_\_ ☐ I have enclosed the required permit fee.  
\_\_\_\_ ☐ I have also enclosed the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.  
TB ☒ I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

(Note: If a company or corporation, this form must be signed by the owner or officer who is authorized to bind the company/corporation to this Notice.)

Signature of Permittee/ Operator/ Applicant: [Signature]  
Name (typed or printed): Tracy Burnham  
Title/Position (if applicable): manager / member  
Date: 9/27/05



## Variance Request for Rule R647-3-110

We are requesting from you permission to move to a new 5-acre area. We have mined, regarded and seeded the 5-acre area that we have currently been quarrying and would like to now move into a new area while remaining a small mine. The 5-acres that we have been permitted to mine has not gone through a growing season as required by R647-3-109.13.12, but we have spent \$4000 in seeding materials to expedite this area for vegetation establishment. We've graded the area, we've seeded the area, we've mulched the area and we have and will continue and commit to actively monitor this area and to water the area continually to establish a growth and to take remedial action as necessary.

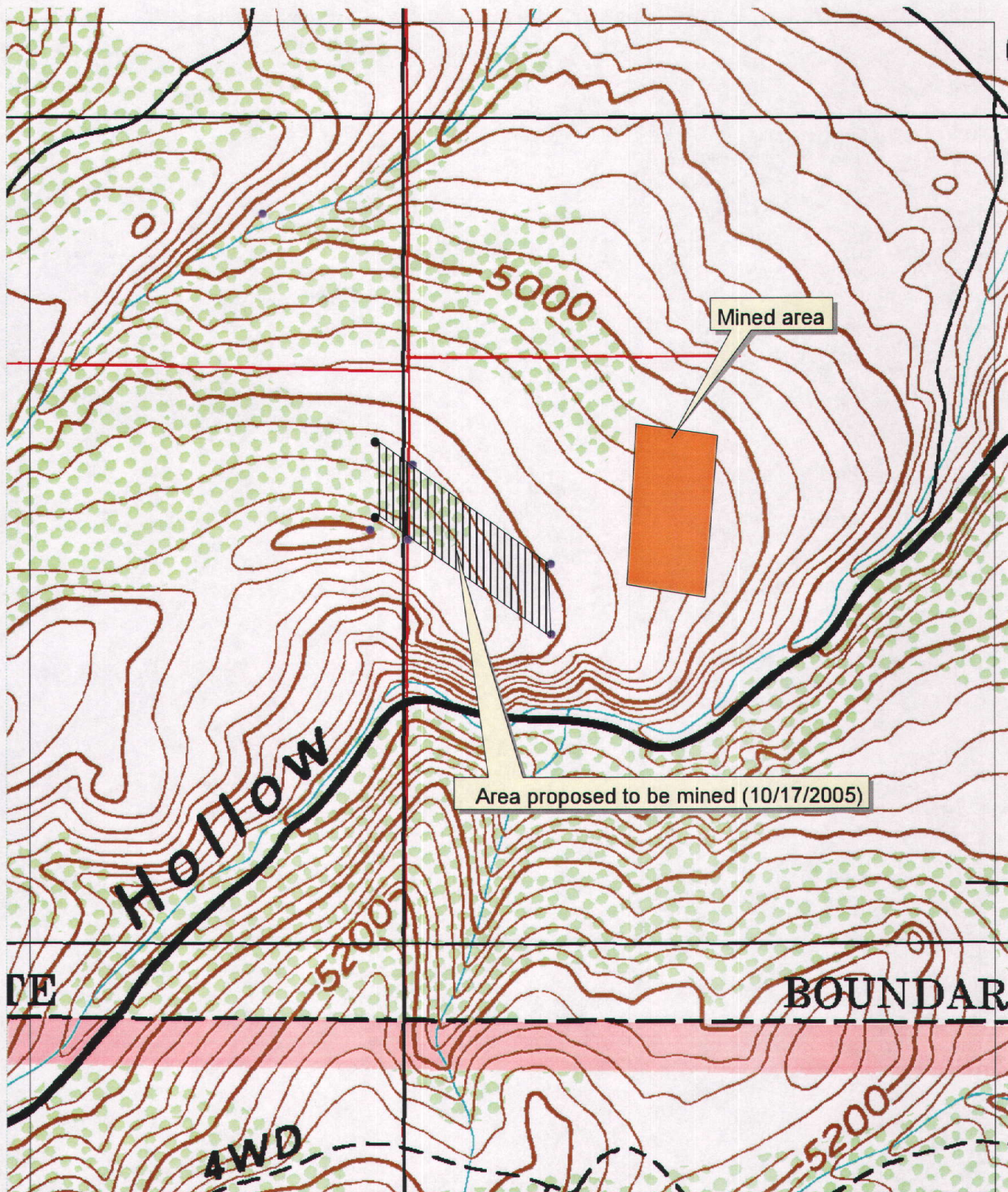
On much of the existing area that we have been quarrying has had a hardpan layer known as a "caliche" layer, which is down only 4' deep. With so much of the 5-acres only being able to go down the 4' not the 10' that we had thought and expected that we could go, we have quarried all the rock possible in that given area. The new area that we've indicated has a higher density of rock, which will take more time for us to quarry through. We will use the same method to quarry rock from the new area requested as we have from the past 5-acres.

As requested we would like to expand into a new area and would hope that you would allow us to do this.

Thank you,

Tracy Burnham





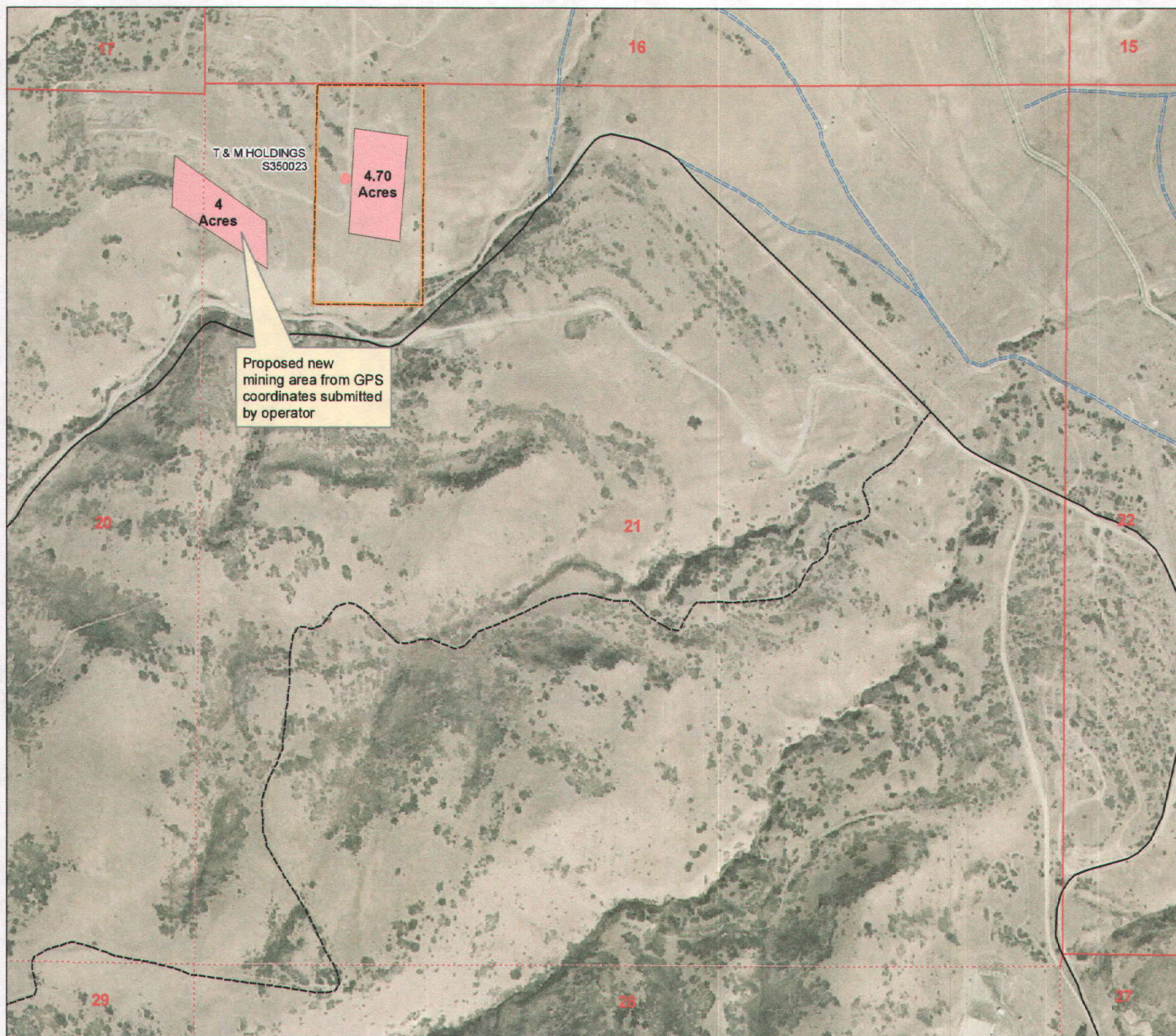
300 0 300 600 Feet

Scale 1:6000  
Contour Interval: 20 feet



Mine Number: S/035/023  
Mine Name: T&M Holdings  
Township 4 S Range 1 W Sections 20 & 21 SLBM  
Site is on the Jordan Narrows Quad





**Mine Number: S350023**  
**Mine Name: T and M Holdings**  
**Township 04 S Range 01 W Section 21 SLBM**

Inspection Date Sept, 09, 2005  
 Map Produced by DKS

Acres Disturbed	4.70
Acres Regraded	0
Acres Seeded	0
Road Acres Disturbed	0

<b>Total Acres Disturbed</b>	<b>4.70</b>
------------------------------	-------------

Acres Reclaimed	0
Acres Excluded	0
Acres Prelaw	0

**Legend**  
 All items symbolized in legend may not be appear on map

- |                 |   |
|-----------------|---|
| County Boundary | Township or range Line                    |
| Access          | Township or range line: location doubtful |
| Mine            | Section line                              |
| NonMine         | Section line: location doubtful           |
| Other           | Disturbed                                 |
| Interstate      | Regraded                                  |
| US Route        | Seeded                                    |
| State Route     | Reclaimed                                 |
| Primary Route   | Excluded                                  |
| Secondary Route | Prelaw                                    |
| Main Dirt Road  | Mine Permit                               |
| Unimproved Road |   |
| Interchange     |   |
| Trail           |   |

DOQ imagery date 1997



0 625  
 Feet

1:7,500 1 inch equals 625 feet  
 Verify Scale

Dept. of Natural Resources  
 Division of Oil, Gas, and Mining  
 Mineral Mines Program

Different data sources and input scales  
 may cause misalignment of data layers.  
 This product may not meet DOGM  
 standards for accuracy and content.



This Section for DOGM Use:  
Assigned DOGM File No.: S 10351023  
DOGM Lead: PBB  
Permit Fee \$ 150.00 Ck # 415

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-6801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

RECEIVED

MAR 24 2005

DIV OF OIL GAS & MINING

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

I. GENERAL INFORMATION (Rule R647-3-104)

1. Name of Mine: T&M Holdings, LLC Decorative Landscaping
2. Name of Person or Entity Applying for Permit: Tracy Burnham  
Address: 3231 N. West Millcreek Road  
City, State, Zip: Pleasant Grove, Utah 84062  
Phone: 801-796-7739 Fax: 801-796-7739  
E-mail Address: \_\_\_\_\_

Company ( ) Corporation ☒ Partnership ( ) Individual ( )  
Other ( ) - specify type: \_\_\_\_\_

A corporation must be registered with the State of Utah, Division of Corporations. Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No

Business License # 329906-5501

Registered Agent (as identified on business license): Richard Staines

Address: 3651 N. 100 East, Suite 300

City, State, Zip: Provo, UT 84604

Phone: 801-852-2673 Fax: 801-852-1961

E-mail Address: \_\_\_\_\_

3. Name of Operator (if different from #2) \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_



**If Partnership or Individual:****Name of 1<sup>st</sup> owner / partner:**Address: 3231 No. West millcreek RoadCity, State, Zip: Pleasant Grove, Ut. 84062Phone: 801-404-0368 Fax: 801-796-7739

E-mail Address: \_\_\_\_\_

**Name of 2<sup>nd</sup> owner / Partner:** \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**If Corporation or Limited Liability Entity:****Name of Officers:** Tracy BurnhamTitle: President/owner

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

**4. Permittee / Operator Representative (if different from #3):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**5. Ownership of Land Surface:**☒ Private (Fee) ☐ Public Domain (BLM) ☐ National Forest (USFS)☐ State Trust Land/School Sections ☐ State Sovereign Lands

Other (please describe): \_\_\_\_\_

Name Tracy Burnham

Address

3231 N. West millcreek Rd., Pleasant Grove,  
Ut 84062

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

**6. Ownership of Minerals:**☒ Private (Fee) ☐ Public Domain (BLM) ☐ National Forest (USFS)☐ State Trust Land/School Sections ☐ State Sovereign Lands

Other (please describe): \_\_\_\_\_

Name Tracy Burnham

Address

3231 No. West millcreek Rd., Pleasant Grove, Ut  
84062

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_



BLM Lease or Project File Number(s) and/or USFS assigned Project Number(s): N/ABLM Claim Numbers N/AUtah State Lease Number(s): N/AName of Lessee(s) N/A

## 7. Have the above surface and mineral owners been notified in writing?

Yes \_\_\_\_\_ No \_\_\_\_\_

If no, why not? N/A

Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration prior to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.

8. Does the Permittee / Operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes X No \_\_\_\_\_II. PROJECT LOCATION & MAP (Rule R647-3-105)1. Project Location (legal description):

County(ies): \_\_\_\_\_

E 1/2 of NW 1/4, of NW 1/4: Section: 21 Township: 45 Range: 1W  
 \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4: Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_  
 \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4, of \_\_\_\_\_ 1/4: Section: \_\_\_\_\_ Township: \_\_\_\_\_ Range: \_\_\_\_\_

UTM East \_\_\_\_\_ (if known) UTM North \_\_\_\_\_ (if known)

Name of Quad Map for Location: \_\_\_\_\_

2. An accurate topographic base map showing the location of the proposed small mining operation must be submitted with this notice. A USGS 7.5 minute series map is preferred. The areas to be disturbed should be plotted in sufficient detail so that they can be located on the ground. It is recommended that the Permittee / Operator also photo document, plot and label any pre-existing disturbances in the immediate vicinity that he is not responsible for.
3. The proposed (5 acre or less) disturbed area boundary (including access/haul roads) **should** be marked in the field ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.



III. **OPERATION PLAN (Rule R647-3-106)**

1. Type of mining: Surface ☒ Underground ☐
2. Mineral(s) to be mined: LANDSCAPE ROCKS
3. Amount of material to be extracted, moved or proposed to be moved: 15,000 ton
4. Will any water, liquid chemicals, reagents, or other solutions be used, produced or discharged as part of the mining or milling process?  
Yes ☐ No ☒ If yes, please describe (add extra pages if needed)  
\_\_\_\_\_  
\_\_\_\_\_
5. Provide a brief description of the proposed mining operation and onsite processing facilities (add extra pages if necessary). TWO (2) TRACTORS WILL FACILITATE THE MINING AND LOADING PROCESS. ONE (1) TRACTOR TO QUARRY, + REGRROOM THE QUARRIED SITE. THE OTHER TO LOAD 10 WHEEL DUMP TRUCKS  
\_\_\_\_\_  
\_\_\_\_\_
6. ☐ New Road(s): Length 100 (ft) Width 10 (ft)
7. ☐ Improved Road(s): Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)
8. Total project surface acreage to be disturbed: 5 (acres) PLEASE SPECIFY EXACT ACREAGE - (this will be used to determine surety bond amount - see #VI).
9. Proposed startup date of project (month, year) MARCH, 2005
10. Proposed completion date of project, if known (month, year) \_\_\_\_\_

IV. **OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)**

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining:

1. Keep the mining operation in a safe, clean, and environmentally stable condition.
2. Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.
3. Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.
4. Construct berms, fences, or barriers, when needed, above highwalls and excavations.
5. Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.



6. Remove all waste or debris from stream channels.
7. Dispose of any trash, scrap metal, wood, machinery, and buildings.
8. Conduct mining activities so as to minimize erosion and control sediment.
9. Reclaim all roads that are not part of a permanent transportation system.
10. Stockpile topsoil and suitable overburden prior to mining.
11. Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.
12. Properly prepare seedbed to a depth of six inches by poking, ripping, discing, or harrowing. Leave the surface rough.
13. Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)
14. Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.

#### V. VARIANCE REQUEST (Rule R647-3-110)

Any variance request must be approved in writing by the Division

Yes ☐ No ☒

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

Item Number	Variance Request Justification

#### VI. SURETY (Act 40-8-7(1)(c))

The surety must be provided to and approved by the Division prior to commencement of operations.

The Utah Mined Land Reclamation Act (40-8-7 (1)(c) and 40-8-14 provides the authority that all mining operations furnish and maintain reasonable surety to guarantee that the land affected is reclaimed according to approved notices consistent with on-site conditions. The surety amount is based on the nature, extent and duration of operations. These amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions.

\$5,000 for the 1<sup>st</sup> acre; and  
\$3,000 for each additional acre.

17,000 5 acres

Acceptable forms of surety may include: certificates of deposit, letters of credit, surety bonds & cash. Please identify which type of surety you will post so we can provide you with the appropriate forms.

☒ Certificate of Deposit    ☐ Letter of Credit    ☐ Surety Bond    ☐ Cash  
☐ Other \_\_\_\_\_ (please identify)

(please be advised that the State Treasurer's office may require additional monies to administer cash sureties).

Check if applicable:

☐ Reclamation surety is already posted with another regulatory agency (copy must be included as proof):  
\$ \_\_\_\_\_ (amount) \_\_\_\_\_ (Agency name)



# **VII. PERMIT FEE [Mined Land Reclamation Act 40-8-7(1)(i)]**

The Utah Mined Land Reclamation Act of 1975 [40-8-7(1)(i)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), permit fees are assessed to new and existing notices of intention, and annually thereafter, until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division.

**Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.**

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

Name: Tracy Burnham  
 Address: 3231 No. West Millcreek Rd.  
 City, State, Zip: Pleasant Grove, UT 84062  
 Phone: 801-404-0318 Fax: 801-796-7739  
 E-mail Address: \_\_\_\_\_

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City, State, Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 E-mail Address: \_\_\_\_\_

# **VIII. SIGNATURE REQUIREMENT**

I hereby verify that the foregoing information is true and accurate and commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

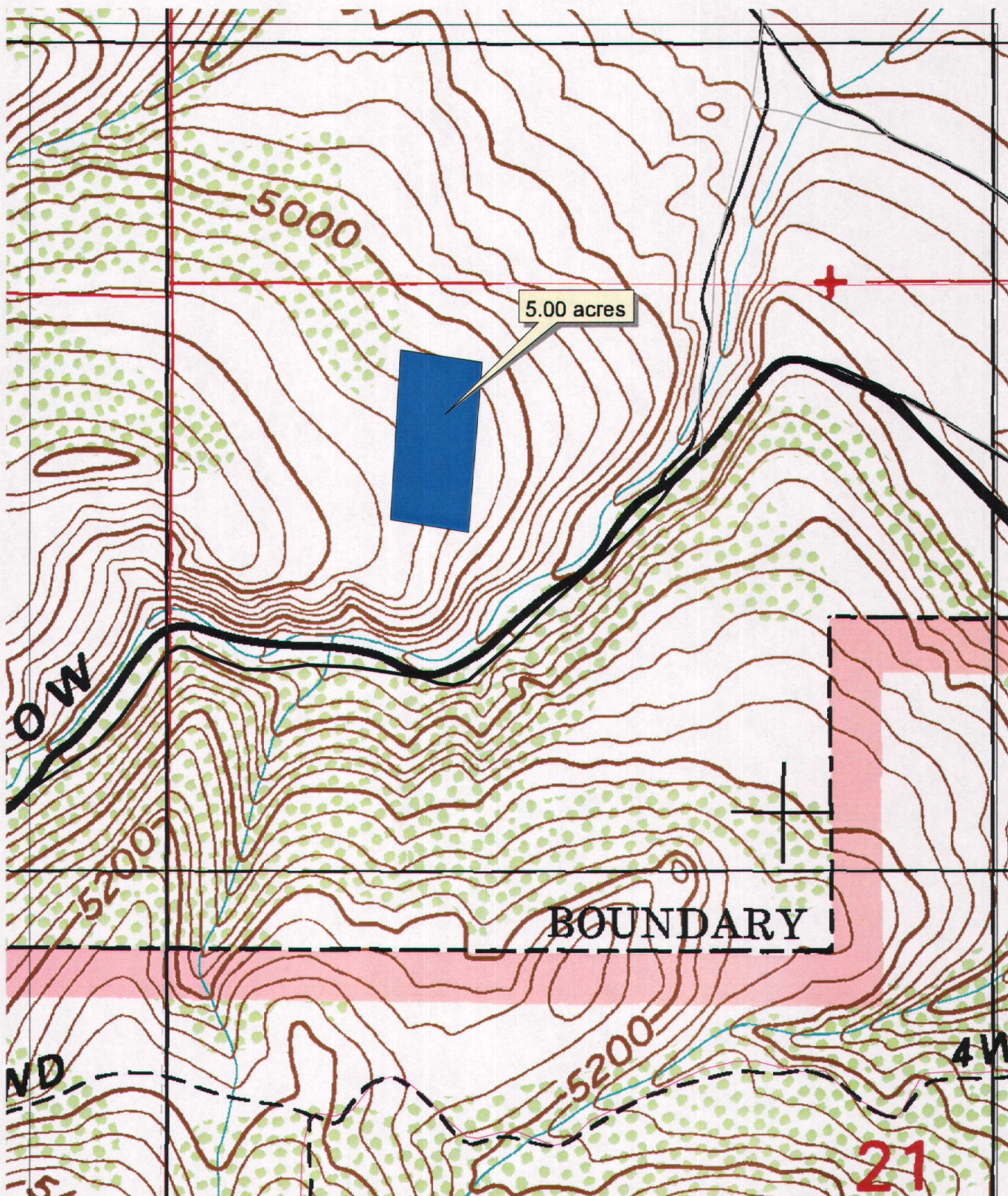
(Please check the box and place your initials on the line provided)

- JB G I have enclosed the required permit fee.  
JB G I have also enclosed the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.  
JB G I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

(Note: If a company or corporation, this form must be signed by the owner or officer who is authorized to bind the company/corporation to this Notice.)

Signature of Permittee/ Operator/ Applicant: [Signature]  
 Name (typed or printed): Tracy Burnham  
 Title/Position (if applicable): Owner  
 Date: 3/22/05





Department of Natural Resources  
Division of Oil, Gas and Mining  
Mineral Mines Program

Different data sources and input scales  
may cause misalignment of data layers.  
This product may not meet DOGM  
standards for accuracy and content.

300 0 300 600 Feet

Scale 1:6000  
Contour Interval: 20 feet



Mine Number: S/035/023  
Mine Name: Decorative Landscape  
Township 4 S Range 1 W Section 21 SLBM  
Site is on the Jordan Narrows Quad

Drafted by PBB

March 24, 2005



400

300

Myrtle's Seven Ltd  
-003  
40.0

-004  
40.0  
Una PRushton Ty

Bearden

Hem. Hon  
-010  
9.94

Bennett  
-011  
9.94

Russo  
-023  
4.96

Sharp  
-024  
4.92

McDo  
-02  
100

-019  
25.0

DIV OF OIL GAS & MINING

MAR 24 2005

RECEIVED

LINE

CAMP

WILLIAMS  
Gallie  
-016  
100

MOULT  
Rasmussen  
-017  
2.54

Mower  
-005

G.L. 4

-012 Mower  
18.94

-009  
2.50  
Mower  
330

-002  
41.34

G.L. 3

Wheeldon

792  
Michel Dr.  
-006  
60  
792

100

military

DECORATIVE LANDSCAPE  
ATTACHMENT





-003  
400

004  
40.0  
Unap Rushton Ty

Gerden

Borden

Russo  
-023  
496

Ham. Hon  
-010  
994

Bennett  
-Oil  
9.94

Sharp  
- 024-400  
192

-019  
25.0

DIV OF OIL GAS & MINING

MAR 24 2005

RECEIVED

LINE

TRC/70

WILLIAMS  
Gail  
- 0161  
- 100

330  
Tower  
-017  
234

Mower  
-005-

GL 4

- 012 Mower  
1894

792  
Michel Dr.  
-006

-b o 2  
41.34

GI 3

Wh eadon

Military



DECORATIVE LANDSCAPING, INC 07/03  
581 NORTH 600 EAST  
OREM, UT 84097

415

97-292/1243

MARCH 24, 2005  
DATE

PAY TO THE  
ORDER OF

Division of Oil, Gas, & Mining

\$ 150.00

One hundred fifty dollars and ~~no~~

DOLLARS



Security  
Features  
Details on  
Back.



CAPITAL  
COMMUNITY  
BANK

1906 W. STATE STREET  
PH. 801-772-0800  
PLEASANT GROVE, UTAH 84062

NOT VALID FOR OVER \$500.00

FOR

Application Fee

Scott A.

MP